

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JANUARY 6, 1971

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, January 6, 1971, in the City Hall Council Chambers.

ROLL CALL                Present: Councilmen - EHRHARDT, HUGHES,  
KATNICH, KIRSTEN and  
SCHAEFFER (Mayor)

Absent: Councilmen - None

Also present: City Manager Glaves, Assistant City Manager Peterson, City Attorney Mullen, Planning Director Schroeder and Public Works Director Jones.

PLEDGE Mayor Schaffer led the Pledge of Allegiance to the flag.

MINUTES                      On motion of Councilman Kirsten, Ehrhardt second, the Minutes of December 9, 1970 were approved as written and mailed after correcting the roll call to show Councilman Ehrhardt absent rather than present.

Councilman Katnich then moved approval of the Minutes of December 16, 1970 as written and mailed. The motion was seconded by Councilman Ehrhardt and carried.

## PUBLIC HEARINGS

REZONE 235 E.  
KETTLEMAN  
TO C-2 DISTRICT

ORD. NO. 942  
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Schaffer called for the public hearing on the recommendation of the Planning Commission for a change in zoning from the R-MD, Medium Density Multiple-Family Residential District to the C-2, General Commercial District for a parcel located at 235 East Kettleman Lane. The Mayor then relinquished the chair to Vice Mayor, stating he would abstain from discussion and voting on the matter because of a possible conflict of interest. Vice Mayor Hughes then assumed the chair and requested Planning Director Schroeder to introduce the matter. Mr. Schroeder reviewed the recommendation of the Planning Commission for rezoning of the parcel.

Mr. Al Donald of Katzakian and Schaffer Real Estate, 122 North Church Street, and representing the property owner, Mr. Victor C. Haupt, spoke in favor of the proposed rezoning. No other persons in the audience wished to be heard on the matter, and the public portion of the hearing was closed.

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Councilman Kirsten then moved introduction of Ordinance No. 942 rezoning a parcel located at 235 East Kettleman Lane to be in the C-2 District. The motion was seconded by Councilman Katnich and carried by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes,  
Katnich and Kirsten  
Noes: Councilmen - None  
Abstain: Councilmen - Schaffer

#### COMMUNICATIONS

P.U.C. RE  
P.G.&E.

Notice of hearing before the State Public Utilities Commission of Pacific Gas & Electric Company's application for authority to revise its tariff for natural gas service to offset increases in expense caused by increases in price of natural gas from the El Paso Natural Gas Company was read.

#### LEGISLATION

The City Clerk read a letter from the City of San Leandro requesting the City Council to adopt a resolution urging the State Legislature to enact mandatory automobile safety flare legislation. No action was taken.

#### CONCORD STREET STREET LIGHTS

RES. NO. 3450  
AND  
RES. NO. 3451

A petition was presented for installation of street lights on Concord Street between Washington and Garfield Streets. The petition was certified by the City Clerk to contain signatures of owners of more than 60% of the property described in the petition. The petitioners waived the investigation provided for by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931" in connection with the installation. Plans and specifications for the proposed district were also presented. On motion of Councilman Kirsten, Ehrhardt, second, the Council adopted Resolution No. 3450 adopting the plans and specifications for the lights for the Concord Street Lighting District. On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3451 stating the Council's intention to form the Concord Street Street Lighting District and setting the public hearing thereon for February 3, 1971

#### TARA PLACE STREET LIGHTS

RES. NO. 3452  
AND  
RES. NO. 3453

A petition was also presented for installation of street lights on Tara Place between Crescent and Orange Avenues. The petition was certified by the City Clerk to contain signatures of owners of more than 60% of the property described in the petition. The petitioners waived the investigation provided for by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931" in connection with the installation.

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Plans and specifications for the proposed district were also presented. On motion of Councilman Ehrhardt, Kirsten second, the Council adopted Resolution No. 3452 adopting the plans and specifications for the lights for the Tara Place Street Lighting District. Councilman Katnich abstained from the vote because of a possible conflict of interest. The Council then on motion of Councilman Hughes, Ehrhardt second, adopted Resolution No. 3453 stating its intention to form the Tara Place Street Lighting District and setting the public hearing thereon for February 3, 1971. Councilman Katnich again abstained from the vote because of a possible conflict of interest.

MENSCH  
COFFEE  
HOUSE

Letters were presented from Mr. and Mrs. H. M. Richards, 646 North Loma Drive and Mrs. Fred L. Gresham, 1507 Holly Drive, requesting the Mensch Coffee House be permitted to use the Maple Square Fire House.

#### REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$396,789.22 were approved on motion of Councilman Kirsten, Hughes second.

AWARD -  
STRANDED  
ALUMINUM  
CONDUCTOR

The City Manager presented bids received for the stranded aluminum conductor for the Utilities Department as follows:

RES. NO. 3454

Valley Electric Company	\$11,341.13
Graybar Electric	11,489.94
General Electric	11,794.66
Consolidated Electric	12,049.88

The City Manager recommended the award be made to the low bidder, Valley Electric Company. On motion of Councilman Ehrhardt, Hughes second, the Council adopted Resolution No. 3454 awarding the contract for the furnishing of stranded aluminum conductor to Valley Electric Company for a total amount of \$11,341.13.

VACATE  
EASEMENTS -  
LAKEWOOD  
UNIT #4

City Manager Graves reported that the Public Works Director had recommended that the City Council abandon portions of certain easements in the Lakewood Unit No. 4 Subdivision. The easements were dedicated to the City on June 7, 1967. The Public Works Department had determined there was no present or future use for the easements. On motion of Councilman Kirsten, Katnich second, the City Council adopted its Order vacating portions of easements in the Lakewood Unit No. 4 Subdivision.

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LODI PADRES  
BASEBALL CLUB  
LEASE AND  
CONCESSION  
AGREEMENT  
APPROVED

City Manager Graves stated that the Lodi Padres Baseball Club had requested renewal of the Lease and Concession Agreement for the use of the Lawrence Park Baseball Stadium and concession stand for the 1971 baseball season on the same terms and conditions as the past year. The City Manager reviewed the Lease and Concession Agreement for the Council and recommended approval of it. On motion of Councilman Kirsten, Ehrhardt second, the Council approved renewal of the Lease and Concession Agreement with the Lodi Padres Baseball Club for the 1971 baseball season and authorized the City Manager to execute same on behalf of the City.

MAPLE SQUARE  
FIRE HOUSE

At the meeting of December 16, 1970 the City Council deferred action on the request of The Mensch Coffee House for use of the Maple Square Fire House so that the Councilmen might make a personal inspection of the building. Mayor Schaffer reported that the Council had inspected the building since the last meeting. Miss Arlene Ackerman, Director-Manager of The Mensch Coffee House, 16 West Tokay Street, gave a brief review of The Mensch's program. Others speaking in favor of the request of The Mensch were as follows:

Mr. Steven Craig, 208 North Stockton Street  
Mr. Reid Cerney, 900 West Vine Street  
Mr. Judd Hamilton, 1301 West Lodi Avenue  
Mr. Richard Valentine, 308 West Walnut Street  
Mr. Steven Turner, 3420 Dwight Way, Stockton  
Mrs. Robert Holt, 1207 Holly Drive  
Mr. Cameron Childress, 620 Lower Sacramento Road  
Mr. Jim Skarles, 1024 Turner Road  
Mrs. Doris McCaughna, 6433 Analitis Drive  
Mr. Bill Manley, 600 South Virginia Avenue

Mr. Roger Karr, Chairman of the Board of Directors of the Lodi Junior Chamber of Commerce spoke stating he was not opposing the request of The Mensch, but was concerned about the equipment the Jaycees had stored in the building.

Mr. Howard Babcock, 9 Chestnut Street, presented a petition opposing the use of the fire house by The Mensch. He stated he was not against the merits of The Mensch, but was opposed to its proposal to locate in the old fire house.

Mr. Al Donald, 122 North Church Street, representing the Downtown Merchants, requested the Council to deny the request of The Mensch and suggested removal of the fire house and installation of off-street parking on the property.

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After Council discussion, Councilman Kirsten moved the Council authorize the City Manager to expend \$2,000 to perform certain acts necessary to bring the building to Code (those acts listed in the Memorandum dated December 16, 1970); and approve execution of a six-month lease agreement with the Lodi Council of Churches for use of the Maple Square Fire House by The Mensch Coffee House at \$1.00 rental fee with the following conditions:

1. The building would be used for the conducting of The Mensch program known as "Mensch Coffee House" and at all meetings at which there are 20 or more youths, adult supervision shall be present.
2. No animals shall be allowed in the building.
3. The facility shall be shared with other groups in the community.
4. The Lodi Council of Churches shall be responsible for the property, and it shall be returned to the City in a good, neat and undamaged condition.
5. The City reserves the right to terminate and cancel said agreement upon 30 days notice.

The motion was seconded by Councilman Ehrhardt. Councilman Hughes then moved an amendment to the motion to provide that a rental fee of \$50 per month be charged The Mensch. The amendment to the motion was seconded by Mayor Schaffer and failed to pass by the following roll call vote:

Ayes: Councilmen - Hughes and Schaffer  
 Noes: Councilmen - Ehrhardt, Katnich and Kirsten

The original motion then passed on a roll call vote as follows:

Ayes: Councilmen - Ehrhardt, Katnich and Kirsten

Noes: Councilmen - Hughes and Schaffer

RECESS

The Mayor declared a five-minute recess, and the Council reconvened at 10:20 p.m.

UNIFORM  
 ALLOWANCE-  
 PKG ENFORCE-  
 MENT ASSNT

The City Manager recommended establishment of a uniform allowance for the position of Parking Enforcement Assistant. He recommended the allowance be established at \$100 per year to be

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RES. NO. 3455	paid quarterly. On motion of Councilman Kirsten, Hughes second, the City Council adopted Resolution No. 3455 establishing a uniform allowance in the amount of \$100 per year to be paid quarterly for the positions of Parking Enforcement Assistant.
PARALLEL PARKING - W. WALNUT & W. OAK STREETS	The City Manager presented a report prepared by the Public Works Department concerning parking on West Walnut and West Oak Streets. After discussion of the report, Councilman Kirsten moved adoption of Resolution No. 3456 establishing parallel parking on both sides of West Walnut Street between Church Street and Hutchins Street and on both sides of West Oak Street between Church Street and Lee Avenue. The motion was seconded by Mayor Schaffer and carried by unanimous vote.
RES. NO. 3456	
WHITE SLOUGH PROPERTY	On motion of Councilman Kirsten, Ehrhardt second, the Council agreed to delay award of the lease of the City-owned property at the White Slough Water Pollution Control Plant until the meeting of January 13, 1971, as recommended by the City Manager.
FOLSOM SOUTH WATER USERS ASSOCIATION	Councilman Kirsten moved approval of membership application by the City of Lodi to the Folsom South Water Users Association and requested the City's representative to that organization exert every effort to see that the Folsom South Canal project is completed at the earliest possible moment along the entire length of the project's route. The motion was seconded by Councilman Hughes and carried by unanimous vote.
AWARD - AUTO	The City Manager reported that no bids had been received on the standard automobile for the Planning Department. He stated that the City would re-advertise.
SPECS - TRUCK	Specifications for a one-half ton conventional cab and chassis truck were approved on motion of Councilman Kirsten, Ehrhardt second, and advertising for bids thereon authorized.
LEAGUE COMMITTEE MEETING	Councilman Kirsten reported on a meeting of the Revenue and Taxation Committee of the League of California Cities which he recently attended.

#### ORDINANCES

AMEND SPECIFIC PLAN - CENTURY BLVD.	ORDINANCE NO. 940, entitled "AN ORDINANCE OF THE CITY OF LODI AMENDING ORDINANCE NO. 928, ENTITLED; 'AN ORDINANCE OF THE CITY OF LODI ADOPTING A SPECIFIC PLAN FOR CENTURY BOULEVARD,' AND REPEALING ORDINANCE NO. 931 AND THEREBY ADOPTING
ORD. NO. 940 ADOPTED	

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A NEW SPECIFIC PLAN FOR CENTURY BOULEVARD BETWEEN WEST LANE AND SOUTH STOCKTON STREET," having been introduced at a regular meeting December 16, 1970, was brought up for passage on motion of Councilman Kirsten, Ehrhardt second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes,  
Katnich, Kirsten and  
Schaffer

Noes: Councilmen - None

Absent: Councilmen - None

ORDINANCE  
PROHIBITING  
TRESPASSING  
OR LOITERING  
ON OR NEAR  
POSTED PROP.

ORD. NO. 941  
ADOPTED

ORDINANCE NO. 941, entitled "AN ORDINANCE OF THE CITY OF LODI PROHIBITING TRESPASSING OR LOITERING ON OR NEAR POSTED PROPERTY," having been introduced at a regular meeting December 16, 1970, was brought up for passage on motion of Councilman Ehrhardt, Katnich second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes,  
Katnich, Kirsten and  
Schaffer

Noes: Councilmen - None


Absent: Councilmen - None

MEETING WITH  
NSJWCD

The City Manager announced that arrangements had been made with the Directors of the North San Joaquin Water Conservation District for a joint meeting on January 13, 1971, and he recommended that the Council adjourn to that date.

ADJOURNMENT

On motion of Councilman Kirsten, Ehrhardt second, the Council adjourned the meeting to Wednesday, January 13, 1971 at 8:00 p.m.

Attest:   
BESSIE L. BENNETT  
City Clerk